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February 15, 2008

MEMO ENDORSED

Hon. Stephen C. Robinson
 United States District Court
 Southern District of New York
 300 Quarropas Street, Room 633
 White Plains, New York 10601

**Re: McCormick & Co., Inc. v. Kari-Out Club, LLC, t/a Kari-Out Co.;
 Perk Up, Inc. S/h/a Kari Out Club, LLC t/a Kari-Out Co.
 Case No.: 07-CV- 7244
 LJAA File No.: 114-1076**

Dear Judge Robinson:

This law firm represents the Defendant/Third-Party Plaintiff, Perk Up, Inc, in the above referenced matter.

In connection therewith, we hereby submit for the Court's consideration a Stipulation executed by the parties amending the briefing schedule with respect to the Third-Party Defendant's motion to dismiss. The original briefing schedule called for opposition to be served on or before February 20, 2008, with reply to be served on or before March 5, 2008. The amendment affords the parties one extra week, with opposition now returnable on or before February 27, 2008, and reply on or before March 12, 2008.

Thank you for your consideration in this matter. Time to file

Respectfully submitted,

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 JTK/jc
 Enclosure

*Opposition to Third Party Defendant's
 motion to dismiss is extended to 2/27/08.
 Time to file reply is extended to
 3/12/08*

APPLICATION GRANTED*Stephen C Robinson***HON. STEPHEN C. ROBINSON**

2/20/08

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